

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42135 of 2018**

- =====
1. Md. Anish, S/o Late Wazul,
  2. Md. Maskoor, S/o Late Md. Yasin, Both R/o Vill. - Chharapatti,  
Birnager, P.S. - Bhargama, District - Araria.

.... .... Petitioners

Versus

1. The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      19-07-2018                      Heard learned counsel for the petitioners and  
learned APP for the State.

Petitioners seek bail in a case registered for the  
offences punishable under Sections 25(1-b)a and 26 of the Arms  
Act.

Allegation is that from the house of the  
petitioners, a country made loaded pistol was recovered.

Submission is that co-accused Md. Shahabuddin,  
having similar allegation, has already been granted bail by a  
Coordinate Bench of this Court vide order dated 29.06.2018  
passed in Cr. Misc. No. 32311 of 2018 considering the fact that  
recovery was not from conscious possession of the petitioners and  
the petitioners have got criminal antecedent.

Considering the aforesaid submission as well as



criminal antecedent, let the petitioners, above named, be released on bail **on completion of nine months of custody** on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bhargama Police Station Case No. 248 of 2017, subject to the condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

**(Birendra Kumar, J)**

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